

The question then recurred on Mr Hill's amendment, which, on motion of Mr Scott, was laid upon the table by the following vote :

YEAS—Messrs Allen, Armstrong, Bryan, Burroughs, Doane, Guinn, Hord, Lott, McCulloch, Martin, Maverick, Palmer, Pirkey, Potter, Scott, Superviele, Weatherford, Whitaker and White—19.

NAYS—Messrs Caldwell, Flanagan, Hill, Millican, Taylor, of Cass, and T'ruit—6.

The joint resolution was then passed to a third reading by the following vote :

YEAS—Messrs Allen, Bryan, Doane, Guinn, Hord, Lott, McDade, McCulloch, Martin, Maverick, Palmer, Pirkey, Potter, Russell, Scarborough, Scott, Superviele, Taylor, of Cass, T'ruit, Weatherford, Whitaker and White—22.

NAYS—Messrs Armstrong, Burroughs, Caldwell, Flanagan, Hill, Millican and Taylor, of F.—7.

On motion of Mr Hord, the Senate adjourned till to-morrow morning at 10 o'clock.

WEDNESDAY, Jan. 30, 1856.

The Senate was called to order pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

A message was received from the House, informing the Senate that the House had passed the following bills originating in the Senate, viz :

A bill for the relief of Jesse Dean.

A bill to incorporate Soule University ; and

A bill to define the time of holding the District Courts in the county of Cameron.

Mr McCulloch presented the petition of Richard Heath ; referred to the committee on Public Debt.

Also, the petition of William H Matthews ; referred to the committee on Private Land Claims, No 2.

Also, the petition of a portion of the citizens of Guadalupe county, praying for a reduction of the fees of county offices—referred to the committee on State Affairs.

Mr Guinn, chairman of the committee on Engrossed Bills, reported correctly engrossed—

A bill to incorporate the town of Indianola.

A bill to make valid certain surveys made in the county of Henderson.

A bill to legalize the official acts of J P Dumas, as District Surveyor of Grayson county ; and

A bill to provide for cancelling patents issued upon forged evidence.

Mr Russell, from the same committee, reported a bill to incorporate the Jefferson and Dangerfield Railroad Company, correctly engrossed.

Mr Grimes, chairman of the committee on Finance, to which was referred Joint Resolution, authorising the Governor to procure the transcribing the Journals of the House of Representatives of the late Republic and of the State of Texas, by Ben. F Hill, or the return of the money drawn by him as payment for said work, and recommended the passage of the resolution with the following amendment:

Amend by striking out "fifty" and inserting "one hundred or so much thereof as may be necessary."

On motion of Mr Grimes, the rule was suspended and report taken up, amendment adopted and joint resolution ordered to be engrossed.

On motion of Mr Grimes, the rule was farther suspended, resolution read third time and passed.

Mr Weatherford moved to reconsider the vote adopting resolution instructing the committee on Public Printing to notify the publishers of the Texas State Gazette and the State Times, that the contract to furnish each Senator with ten copies of each issue of their respective papers during the session will terminate on the 4th day of February next; carried, and the vote reconsidered.

Mr Taylor, of Cass, moved to amend the resolution by adding, "except the Appendix to the State Gazette;" adopted.

Mr Taylor, of Fannin, moved to amend by striking out 'State Times;' lost.

The resolution was then adopted.

Mr Potter, chairman of the committee on the Judiciary, to which was referred a bill supplementary to an Act to have the laws, civil and criminal, amended, supplied, revised, digested, and arranged, approved Feb'y 10, 1854, reported a substitute for 1st Section, recommending its adoption, and passage of the bill.

On motion of Mr Potter, the rule was suspended and report taken up.

On motion of Mr Flanagan, the report and bill was laid on the table until the 2d Monday in July next, by the following vote:

YEAS—Messrs Allen, Burroughs, Flanagan, Grimes, Lott Martin, Millican, Pirkey, Russell, Scarborough, Scott, Taylor of Cass, Taylor, of Fannin, Whitaker, White and Wren—16

NAYS—Messrs Armstrong, Bryan, Caldwell, Doane, Guinn, Hill, McCulloch, McDade, Maverick, Palmer, Potter & Truit—12.

Mr Potter, chairman of the committee on the Judiciary, to which was referred a bill granting to the city of Brownsville the ferries within the corporate limits of said city, reported the same back to the Senate and recommended its passage.

On motion of Mr McCulloch, a bill to incorporate the Powder Horn, Victoria and Gonzales Railroad Company, was taken up and read.

Mr McCulloch offered the following amendments:

Insert after the word "Monroe," the following names: Thos. M Hardiman, John B McMahon, H C Cook, Thos D Johnson, Joseph F Johnson and William Venable; adopted.

The bill was then ordered to be engrossed.

On motion of Mr McCulloch, the rule was suspended, bill read third time and passed by the following vote:

YEAS—Messrs Allen, Armstrong, Bryan, Doane, Guinn, McCulloch, McDade, Martin, Millican, Palmer, Potter, Scarborough, Scott, Taylor, of Fannin, Truit and White—16.

NAYS.—Messrs Burroughs, Grimes, Maverick, Pirkey, Russell, Taylor, of Cass, and Whitaker—7.

Mr McCulloch offered the following resolution:

Resolved, That M D Herring be allowed the per diem pay of an officer from the 12th to the 17th day of December, both days included, for services rendered during the sickness of the Secretary of the Senate; adopted.

On motion of Mr White, a bill to validate certain acts of the Assessors and Collectors of Taxes, appointed under an Act to provide for the assessment and collection of taxes, approved May 13, 1846, together with report of the Judiciary committee on the same, offering a substitute therefor, was taken up, substitute adopted, and bill ordered to be engrossed.

On motion of Mr White, the rule was suspended, bill read third time and passed.

On motion of Mr Allen, a bill to compensate Assessors and Collectors for taking the scholastic population in their respective counties, was taken up and read first time.

On motion of Mr Allen, the rule was suspended and the bill read second time.

Mr Potter moved to lay the bill on the table; lost.

On motion of Mr Scott, the bill was referred to the Judiciary committee, with the request that the committee report to-morrow morning.

Mr Bryan, by leave, withdrew the report of the committee on public buildings, made by him yesterday.

ORDERS OF THE DAY.

A bill to ascertain the legal claims for lands against the State, with the substitute offered by Mr McCulloch on yesterday; read.

On motion of Mr Burroughs, the substitute was laid on the table.

Mr Burroughs offered the following amendment:

In 5th line, 1st section, after the word "dollars," insert—"Before he enters upon the discharge of the duties of his office, he shall enter into bond with two or more good and sufficient sureties in the sum of thousand dollars, made payable to the Governor of the State of Texas and his successors in office, conditioned that he will well and truly discharge all the duties that may be required of him by law, which bond shall be approved by the Governor, and by him filed in the office of the Secretary of State.

On motion of Mr Potter, the blank was filled with "twenty."

The amendment was then adopted.

Mr Taylor, of Cass, moved to postpone the bill till the third Monday in July next; lost by the following vote:

YEAS—Messrs Caldwell, Doane, Flanagan, Guinn, Hill, McCulloch, Martin, Pirkey, Russell, Taylor, of Cass, Taylor, of Fannin, and Truit—12.

NAYS—Messrs Allen, Armstrong, Bryan, Burroughs, Grimes, Maverick, Palmer, Potter, Scott, Weatherford and Whitaker—12.

Mr Burroughs offered the following amendment:

In the 5th Section, 2d line, between the words "made" and "to," insert the words, "or may hereafter be made;" adopted.

On motion of Mr Potter, the 5th Section was amended by striking out in the 1st line the word "transfer" and inserting "make out and transmit certified copies of."

Mr Palmer offered the following amendment:

Add to Section 2d—"And any such certificates which have been entered, located or surveyed, and filed in any district surveyor's office, or returned to the General Land Office, may be withdrawn from said office for the purpose of being presented to said Commissioner of Claims, without in any manner affecting or vitiating said entry, location or survey;" adopted.

Mr Palmer offered the following amendment:

After the word "witnesses," 17th line, 6th Section, add—"And should the Commissioner of Claims, upon said investigation and examination of any such bounty or donation, head-right or other certificate issued to an assignee, be satisfied that the original assignor was entitled to said certificate, and no satisfactory evidence of the genuineness of the assignment shall

be presented, he shall endorse said certificate, 'approved for the benefit of the original assignor,' giving his name, and in all such cases the patents upon said certificates shall issue in the name of said original assignor, and be retained in the office of the Commissioner until the rightful owner thereof shall be shown."

On motion of Mr Burroughs, the Senate adjourned until 3 o'clock P. M.

3 O'CLOCK P. M.

Senate met—roll called—quorum present.

A bill to ascertain the legal claims for lands against the State—taken up

The amendment of Mr Palmer being under consideration when the Senate adjourned, was adopted.

Mr Palmer offered the following amendment, to come in at the end of Section 6:

"And any individual holding a headright certificate which may be rejected, or refused to be approved by said Commissioner of Claims, shall have the right within twelve months from the time of such rejection to bring suit in the District Court of the county in which said certificate issued, for the establishment of the same, which suit shall be brought and conducted in the manner prescribed for the establishment of certificates not recommended by the Act of Feb'y 4th, 1841, entitled an Act supplementary to an Act to detect fraudulent land certificates, and to provide for issuing patents to legal claimants."

Mr Flanagan moved to amend the amendment by inserting after the word "issued," "or where the party may reside;" lost.

The amendment was then adopted.

Mr Palmer offered the following amendment:

In Section 16, 2d line, strike out "some officer authorised to administer an oath," and insert, "said Commissioner, or Clerk of said Court, who shall be authorised to administer oaths in all cases required in the discharge of the duties of their office." Adopted.

Mr Burroughs offered a substitute for the 12th Section—adopted.

On motion of Mr Burroughs, the 20th Section was changed so as to make it read "Section 24th," and Sections 21, 22 and 23, and 25, 26, 27 and 28 were inserted.

Mr Burroughs, offered a substitute for the 18th Section—adopted.

Mr Russell offered the following amendment:

In Section 2d, after "issued," in 8th line, and in 5th Section,

18th line, insert "and pre-emption certificates;" adopted.

On motion of Mr Taylor, of Cass, the 26th Section was stricken out by the following vote:

YEAS—Messrs Allen, Burroughs, Doane, Flanagan, Grimes, Guinn, Lott, Martin, Millican, Pirkey, Potter, Russell, Scott, Taylor, of Cass, Taylor, of Fannin, Weatherford and Wren—17.

NAYS.—Messrs. Armstrong, Bryan, Caldwell, McCulloch, Maverick, Palmer, Superviele, Truit and Whitaker—9.

Mr Palmer offered the following amendment:

"And all claims for land not presented within two years after the passage of this Act shall be forever barred"—to come in at the end of Section 7th; adopted.

Mr Potter moved to reconsider the vote adopting amendment to Section 5th, line 1st, striking out the word "transfer," and inserting "make out and transmit certified copies of;" carried and the amendment withdrawn.

Mr Potter then offered the following amendment in lieu thereof:

Strike out "transfer" and insert, "make out and retain in his office certified copies of;" adopted.

Mr Potter offered the following amendment:

In Section 5th, line 4, after the word "Texas," insert "and to transfer the original reports to the Commissioner of Claims;" adopted.

Mr Burroughs offered the following amendment:

At the end of Mr Palmer's amendment to 6th Section, add—"And the Commissioner of the General Land Office shall not issue a certified copy of a patent to any person except the rightful owner;" rejected.

Mr Taylor, of Fannin, offered the following amendment:

Add "3d and 4th classes," after the word "second," before "class," when it occurs in the bill.

On motion of Mr Russell, laid on the table.

On motion of Mr Taylor, of Cass, the bill was amended by adding 29th Section.

On motion of Mr Palmer, the caption of the Bill was amended by inserting after "for" the words "money and."

The bill was then ordered to be engrossed.

On motion of Mr Burroughs, the rule was suspended, bill read third time and passed.

Mr McCulloch moved to reconsider the vote taken on yesterday, refusing to pass a bill for the relief of certain Sheriffs therein named.

On motion of Mr Potter, the motion was laid on the table until 11 o'clock to-morrow.

Mr Russell, from the committee on Engrossed Bills, reported the following bills correctly engrossed, viz:

A bill to incorporate the Powderhorn, Victoria and Gonzales Railroad Company.

A bill to validate certain acts of Assessors and Collectors of Taxes, appointed under the provisions of an Act to provide for the assessment and collection of taxes, approved May 13th, 1844; and

A Joint Resolution, authorising the Governor to take measures to procure the transcribing of the Journals of the House of Representatives of the late Republic and State of Texas by Ben. F. Hill, or the return of the money drawn by him as payment for said work.

Mr Martin, from the committee on the Judiciary, made the following report:

A majority of the Judiciary committee, to whom was referred a bill to compensate Assessors and Collectors for taking the scholastic population in their respective counties for the years 1854 and 1855, have considered the same and respectfully recommend its passage.

On motion of Mr Potter, a bill making appropriations for the use and support of the State Government for the years 1856 and 1857, was taken up and read second time.

On motion of Mr Scott, the bill was amended by adding—
“That the sum of fifty dollars, or so much thereof as may be necessary, be appropriated to employ additional service in the State department for the purpose of furnishing the public printer with copies of the laws within the time required by law—
adopted.

Mr Potter offered the following amendment:

For increase of the Supreme Court Library, to be expended under the direction of the Supreme Court, annually, \$1,500—
adopted.

Mr McCulloch offered the following amendment:

For one draftsman, to be employed by the Comptroller for one year, \$1100; and for two additional clerks, to be employed by said Comptroller for one year, \$900 each, \$1800—adopted.

On motion of Mr Grimes, the salary of the Financial Agent was fixed at \$1200.

Mr Grimes offered the following amendments:

For pay of members of 6th Legislature,	\$57,000 00
For mileage of do.	13,260 00
For pay of regular officers,	9,200 00
“ “ committee clerks,	1,000 00

	\$80,460 00
Less amount appropriated,	75,000 00
Balance,	<u>5,460 00</u>
For contingent expenses,	\$20,000 00
For balance due the late Secretary of the Senate for recording Journals of the Senate of the late Republic and State, under an Act approved Feb. 16, 1852, as certified to by the commissioners appointed to examine the work,	492 17
For amount due Wiley Tipper for services in taking charge of the capitol, under direction of the Governor and Comptroller,	156 66
For amount required to pay the balance of 2d class claims, now audited as reported by the Auditor and Comptroller,	21,383 52

MISCELLANEOUS.

Pension to Henry Tierwester, \$100 annually, that may be drawn by instalments semi-annually,	200 00
Pension to James M Day, \$100 annually,	200 00
To Payne & Phillips, for work done on cistern adjoining the Senate chamber,	424 25
To S. M Swenson, as per account against Executive Department,	46 55
To charges on two packages forwarded to Gov Bell,	2 75
To Payne & Phillips for portable steps for lamp in the Senate \$9 50—Notary's fee 50 cents,	10 00
For Librarian of three branches Supreme Court, each \$300,	900 00
For F. T. Duffau's account,	207 81
To pay balance for printing the laws of the extra session of 1853, in the Spanish language, three hundred dollars, or so much thereof as may be necessary.	

Sec. 2. That no claim shall be paid out of the contingent fund until the same shall have been examined by the committee on contingent expenses, and signed by the chairman, and that this Act take effect from its passage.

The amendments were adopted.

Mr Palmer offered the following amendment:

Pension to David Cole, \$100 annually, \$200, which may be drawn in semi-annual instalments; adopted.

Mr Burroughs offered the following amendment:

Pension to John B Thacker, \$100 annually, \$200.

Mr Potter offered the following amendments :

For pay of audited certificate No 301, dated Feb. 5, '42, \$325.

For payment of James Willie, A. M. Lewis, W. S. Oldham and George F. Moore, as Special Judges of Supreme Court, one hundred dollars each, \$400.

For stationery for 7th Legislature, one thousand dollars, or so much thereof as may be necessary ; adopted.

Mr McCulloch offered the following amendment :

To Rolla M Davis and James W Nichols, \$100 each annually, to be drawn every six months, \$200. •

Mr Flanagan offered the following amendment :

For H M Smith, (disabled in battle,) one hundred dollars per annum, \$200 ; rejected.

Mr Martin offered the following amendment :

For James Riggs, three hundred dollars for services rendered the State of Texas ; rejected.

On motion of Mr Potter, the vote just taken was reconsidered, and Mr Martin withdrew the amendment.

Mr Bryan offered the following amendment :

To A H Cook, for painting the roof of the capitol, \$300, which sum is to be paid said Cook when the roof of the capitol shall be secured against leakage, and the weights shall be attached to the windows of the capitol ; adopted.

Mr Bryan offered the following amendments :

To A H Cook, for iron furnished and smith-work done by said Cook on the capitol not included in said Cook's contract \$257.

For repairing furniture and improvement of the grounds of the capitol, \$800 ; rejected.

On motion of Mr Taylor, of Cass, the Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, JANUARY 31st, 1856.

The Senate was called to order by the President pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present.

The Journal of yesterday was read and adopted.

Mr Potter, chairman of the committee on the Judiciary, to which was referred a bill to change the name of Julius Valentine Cook, of Fayette county, to that of Richard Valentine Cook, reported the same back, and recommended it to the favorable consideration of the Senate.

On motion of Mr Guinn the rule was suspended, bill taken up, read, and passed to a third reading.